

DURING WHICH A VIOLATION CONTINUES SHALL BE A SEPARATE VIOLATION UNDER THIS SECTION.

(C) WITH THE CONCURRENCE AND APPROVAL OF THE ATTORNEY GENERAL, THE SECRETARY OF HEALTH AND MENTAL HYGIENE IS AUTHORIZED TO COMPROMISE AND SETTLE ANY CLAIM FOR PENALTY IN A MANNER HE DEEMS APPROPRIATE AND EQUITABLE UNDER ALL CIRCUMSTANCES, INCLUDING A REBATE OF ANY SUCH PENALTY PREVIOUSLY PAID TO THE EXTENT OF 75 PERCENT THEREOF, WHERE THE PERSON AGAINST WHOM THE PENALTY IS ASSERTED SATISFIES THE SECRETARY WITHIN ONE YEAR THAT THE VIOLATION HAS BEEN ELIMINATED OR THAT THE ORDER HAS BEEN SATISFIED AS THE CASE MAY BE.

(D) ANY PERSON WHO HAS SUBMITTED A PLAN FOR COMPLIANCE WITH THIS SUBTITLE OR THE REGULATIONS PROMULGATED PURSUANT TO IT AND WHO HAS HAD THAT PLAN OR AMENDMENTS TO IT APPROVED BY THE SECRETARY, SHALL NOT BE CONSIDERED IN VIOLATION OF THIS SUBTITLE OR THE REGULATIONS PROMULGATED PURSUANT TO IT AS LONG AS HE ACTS IN ACCORDANCE WITH THE APPROVED PLAN. THE SECRETARY SHALL ACT UPON A PLAN SUBMITTED TO HIM WITHIN 90 DAYS AFTER SUBMISSION.

(E) CONDITIONS CAUSED BY AN ACT OF GOD, STRIKE, RIOT, CATASTROPHE, OR ANY CONDITION OVER WHICH THE ALLEGED VIOLATOR HAS NO CONTROL SHALL NOT BE DEEMED TO BE VIOLATIONS OF THIS SUBTITLE OR OF THE REGULATIONS PROMULGATED PURSUANT TO IT.

831.

THE DEPARTMENT IS AUTHORIZED TO OBTAIN FOR THE USE OF THE STATE SUCH FEDERAL OR OTHER FUNDS AS MAY BE AVAILABLE FROM TIME TO TIME FOR PURPOSES WITHIN THE SCOPE OF THIS SUBTITLE.

832.

NOTHING IN THIS SUBTITLE SHALL PRECLUDE THE RIGHT OF ANY COUNTY OR MUNICIPALITY TO ADOPT ORDINANCES OR REGULATIONS PROVIDING FOR NOISE CONTROL FOR NOISE EMANATING FROM ACTIVITIES ON PRIVATE REAL PROPERTY, PROVIDED THAT SAID ORDINANCES OR REGULATIONS ARE NOT LESS STRINGENT THAN THOSE EMBODIED IN STATE REGULATIONS PROMULGATED PURSUANT TO THIS ACT. SUCH ORDINANCES OR REGULATIONS SHALL BE TRANSMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE. THE DEPARTMENT SHALL MAINTAIN A RECORD OF ALL NOISE LEVEL LIMITS ESTABLISHED BY ANY AGENCY OR LOCAL POLITICAL SUB-DIVISION.

833.

POSITIONS WITHIN THE DEPARTMENT THAT ARE DESIGNATED